



S&H Form: PTO/SB/30 (12/04)

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

(INCLUDING FILING FEE AND/OR PETITION FOR
EXTENSION OF TIME FEE)

Subsection (b) of 35 U.S.C. §132, effective May 29, 2000
provides for continued examination of a utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA)

To: Commissioner for Patents
Box RCE
PO Box 1450
Alexandria, VA 22313-1450

Attorney Docket No.:21.1967

First Named Inventor	Toshikazu HORI, et al.		
Application No.	09/661,428	Group Art Unit	2623
Filing Date	September 13, 2000	Examiner	Brian Q. Le
CPA Filing Date		Confirmation No	8410
Title of Invention	CHARACTER RECOGNITION DEVICE AND METHOD FOR DETECTING ERRONEOUSLY READ CHARACTERS, AND COMPUTER READABLE MEDIUM TO IMPLEMENT CHARACTER RECOGNITION		

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

1.

Submission required under 37 C.F.R. §1.114 (Box a or b must be completed)

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on September 21, 2004
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

2.

Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required).
- b. ☐ Other

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[Page 1 of 2]

03/09/2005 AWONDAF1 00000164 09661428

01 FC:1801 790.00 OP
02 FC:1255 2160.00 OP

Adjustment date: 06/22/2005 SDIRETA1
03/09/2005 AWONDAF1 00000164 09661428
02 FC:1255 -2160.00 OP

06/22/2005 SDIRETA1 00000106 09661428

01 FC:1251

120.00 OP

Repln. Ref: 06/22/2005 SDIRETA1 0014090700
DAH:133935 Name/Number:09661428
FC: 9204 \$2040.00 CR



PATENT MAINTENANCE DIVISION DCP/RCF #807

Serial No. 09/661,428

MAY 24 AM 10: 29

Docket No.: 21.1967

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Toshikazu HORI, et al.

Serial No. 09/661,428

Group Art Unit: 2623

Confirmation No. 8410

Filed: September 13, 2000

Examiner: Brian Q. Le

For: CHARACTER RECOGNITION DEVICE AND METHOD FOR DETECTING
ERRONEOUSLY READ CHARACTERS, AND COMPUTER READABLE MEDIUM TO
IMPLEMENT CHARACTER RECOGNITION

REQUEST FOR REFUND

MAIL STOP 16

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant filed a Notice of Appeal on August 5, 2004 in response to the Final Office Action of May 5, 2005 setting a response due date (Appeal Brief Due Date) of October 5, 2004. Applicant timely filed an Amendment After Final after Notice of Appeal on September 21, 2004 (copies included).

However, the US Patent Office excessively delayed processing of the Amendment After Final after Notice of Appeal of September 21, 2004 and did not forward this Amendment After Final to the Examiner until March 4, 2005 as evidenced by the Patent Application Information Retrieval (PAIR) (copy attached), so the Examiner did not have an opportunity to consider the After Final Amendment to issue an Advisory Action pursuant to MPEP 714.12-13 (i.e., any amendment timely filed after a final rejection should be immediately considered to determine whether it places the application in condition for allowance or in better form for appeal). See also, MPEP 1207 - Amendment Filed with or After Appeal. In particular, the Applicant contacted the Examiner on March 4, 2005 (Interview Summary attached) and the Examiner issued an Advisory Action before filing of an Appeal Brief on March 7, 2005 (copy attached).

Therefore, because the USPTO did not process and forward to the Examiner the Amendment After Final until March 4, 2005, it was necessary by the Applicant to file a Request for Continued Examination (RCE), along with a five-month extension of time fee in the amount of \$2,160.00, on March 7, 2005, to continue examination of the present application and avoid abandonment of the patent application.

Accordingly, the Applicants respectfully request a refund of the second through five month extension of time fees in the amount of \$2,040.00, which is fifth month extension of time fee of \$2,160.00 (37 CFR 1.17(a)(5)) less one month extension of time fee of \$120.00 (37 CFR 1.17(a)(1), as being "in excess of that required" (37 CFR 1.26), if the Patent Office had not delayed and timely forwarded to the Examiner the After Final Response of September 21, 2004 at least within the first extended due date of November 5, 2004 from the filing of the Notice of Appeal on August 5, 2005.

Therefore, at least the second, third, fourth and fifth month extension of time fees in the amount of \$2,040.00 should be refunded.

Accordingly, it is respectfully requested any refund in connection with this request be credited to our Deposit Account No. 19-3935 and that the Patent Office acknowledge this credit in writing to the undersigned.

Respectfully submitted,
STAAS & HALSEY LLP

Date: May 17, 2005

By: 

Mehdi D. Sheikerz
Registration No. 41,307

1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501



Attorney Docket No. 21.1967

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Toshikazu HORI, et al.

Application No.: 09/661,428

COPY

Group Art Unit: 2623

Filed: September 13, 2000

Examiner: Brian Q. Le

For: CHARACTER RECOGNITION DEVICE AND METHOD FOR DETECTING
ERRONEOUSLY READ CHARACTERS, AND COMPUTER READABLE MEDIUM TO
IMPLEMENT CHARACTER RECOGNITION

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Attention: After Final

Sir:

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed
May 5, 2004 finally rejecting claims 1-16. The items checked below are appropriate:

1. EXTENSION OF TIME PETITION AND FEE

Attached is a petition for a -month extension of time
for reply to the final rejection.

\$

2. APPEAL FEE

X Other than a small entity

330.00

TOTAL FEE \$ 330.00

3. PAYMENT

☒ Check attached for the total fee of \$ 330.00.

☒ Charge Account 19-3935 for any fee deficiency.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: 5 August 2004

By: 

James T. Strom
Registration No. 48,702

1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501



Please Date Stamp and return

Notice of Appeal; Check \$330.00

APPLICANT(S): Toshikazu HORI, et al.

SERIAL NO: 09/661,428

CONFIRMATION NO. 8410

TITLE: CHARACTER RECOGNITION DEVICE AND METHOD FOR DETECTING
ERRONEOUSLY READ CHARACTERS, AND COMPUTER READABLE
MEDIUM TO IMPLEMENT CHARACTER RECOGNITION

FILING DATE: September 13, 2000

DOCKET NO: 21.1967/JTS:na

DUE DATE: August 5, 2004



4B



S&H Form: (10/03)

**REPLY/AMENDMENT
FEE TRANSMITTAL**

Attorney Docket No.	21.1967
Application Number	09/661,428
Filing Date	September 13, 2000
First Named Inventor	Toshikazu HORI, et al.
Group Art Unit	2623
Examiner Name	Brian Q. Lu

AMOUNT ENCLOSED

\$86.00

COPY**FEE CALCULATION (fees effective 10/01/03)**

CLAIMS AS AMENDED	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra	Rate	Calculations
TOTAL CLAIMS	20	- 20 =	0	X \$ 18.00 =	\$ 0.00
INDEPENDENT CLAIMS	5	- 4 =	1	X \$ 86.00 =	86.00
Since an Official Action set an <u>original</u> due date of <u>August 5, 2004</u> . A Notice of Appeal was filed August 5, 2004 thereby extending the response due date to October 5, 2004. No extension of time fees are required.					
If Notice of Appeal is enclosed, add (\$330.00)					
If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$110.00)					
Information Disclosure Statement (Rule 1.17(p)) (\$180.00)					
Total of above Calculations =					\$ 86.00
Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)					
TOTAL FEES DUE =					\$ 86.00

- (1) If entry (1) is less than entry (2), entry (3) is "0".
(2) If entry (2) is less than 20, change entry (2) to "20".
(4) If entry (4) is less than entry (5), entry (6) is "0".
(5) If entry (5) is less than 3, change entry (5) to "3".

METHOD OF PAYMENT

- ☒ Check enclosed as payment.
- ☐ Charge "TOTAL FEES DUE" to the Deposit Account No. below.
- ☐ No payment is enclosed and no charges to the Deposit Account are authorized at this time (unless specifically required to obtain a filing date).

GENERAL AUTHORIZATION

- ☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:
- Deposit Account No. 19-3935
- Deposit Account Name STAAS & HALSEY LLP
- ☒ The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

SUBMITTED BY: STAAS & HALSEY LLP

Typed Name	James T. Strom	Reg. No.	48,702
Signature		Date	21 Sep. 2004

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RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2623
Docket No.: 21.1967

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Toshikazu HORI, et al.

Serial No. 09/661,428

Group Art Unit: 2623

Confirmation No. 8410

Filed: September 13, 2000

Examiner: Brian Q. Le

For: CHARACTER RECOGNITION DEVICE AND METHOD FOR DETECTING
ERRONEOUSLY READ CHARACTERS, AND COMPUTER READABLE MEDIUM TO
IMPLEMENT CHARACTER RECOGNITION

AMENDMENT AFTER FINAL REJECTION

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Attention: **BOX AF**

Sir:

This is in response to the Office Action mailed May 5, 2004, and having a period for response set to expire on August 5, 2004. A Notice of Appeal was filed August 5, 2004 thereby extending the response due date to October 5, 2004.

Reconsideration of the claims is respectfully requested. The following remarks are respectfully submitted.

IN THE CLAIMS:

The text of all pending claims are set forth below. Cancelled and withdrawn claims are indicated with claim number and status only. The claims as listed below show added text with underlining and deleted text with ~~striketrough~~. The status of each claim is indicated with one of (original), (currently amended), (previously presented), (cancelled), (withdrawn), (new), (previously added), (reinstated - formerly claim #), (previously reinstated), (re-presented - formerly dependent claim #) or, (previously re-presented).

Please AMEND the claims in accordance with the following:

1. (CURRENTLY AMENDED) A character recognition device to recognize characters in a captured text image ~~read by an image scanner~~, comprising:
 - a multiple recognition ~~program-unit~~ to ~~separately~~ perform character recognition of the text image using ~~respective at least two different character recognition methods~~ algorithms, each algorithm producing its own recognized characters from the same text image, where the recognized characters of the respective algorithms are non-coinciding for some corresponding same locations of the text image and coincide for other corresponding same locations of the text image;
 - an extraction ~~program-to-unit~~ extracting the locations corresponding to the ef-non-coinciding results in the characters recognized by the respective recognition algorithms ~~methods~~; and
 - an output ~~program-to-designate-unit~~ designating the locations of non-coinciding locations results extracted by the extraction ~~program-unit~~ and to output ~~outputting~~ character recognition results for the text image.

2. (CURRENTLY AMENDED) A character recognition device to recognize characters in a captured text image ~~read by an image scanner~~, comprising:
 - a first recognition ~~program-unit~~ to recognize the characters in the text image using a first character recognition ~~method~~ algorithm;
 - a second recognition ~~program-unit~~ to recognize the characters in the text image using a second character recognition ~~method~~ algorithm different from the first character recognition

method algorithm, where each character recognition algorithm produces its own recognized characters from the same text image and where the recognized characters of the respective algorithms are non-coinciding for some corresponding same locations of the text image and coincide for other corresponding same locations of the text image;

an extraction ~~program to~~ unit extracting the locations of recognized characters in the text image wherein the recognition results of the first recognition ~~program~~ unit do not coincide with the recognition results of the second recognition program; and

an output ~~program to~~ output unit outputting character recognition results designating the non-coinciding locations extracted by the extraction program.

3. (CURRENTLY AMENDED) A character recognition device as recited in claim 1, wherein the output ~~program~~ unit contrasts the text image and the character recognition results.

4. (CURRENTLY AMENDED) A character recognition device as recited in claim 2, wherein the output ~~program~~ unit contrasts the text image and the character recognition results.

5. (CURRENTLY AMENDED) A character recognition device as recited in claim 1, further comprising:

a display having a display screen to display character recognition results,
wherein the output unit ~~program to~~ contrasts the text image and the character recognition results while displaying the character recognition results on the display screen, and displays a cursor in a display area of the character recognition results while displaying the text image in a format that designates the location of the text image coordinated at the position of the cursor.

6. (CURRENTLY AMENDED) A character recognition device as recited in claim 2, further comprising:

a display having a display screen to display character recognition results,
wherein the output ~~program~~ unit contrasts the text image and the character recognition results while displaying the character recognition results on the display screen, and displays a cursor in a display area of the character recognition results while displaying the text image in a

format that designates the location of the text image coordinated at the position of the cursor.

7. (CURRENTLY AMENDED) A character recognition device as recited in claim 1, further comprising:

an ~~output-program-to-output~~ unit outputting a symbol or a blank to display locations that do not coincide instead of the recognized characters.

8. (CURRENTLY AMENDED) A character recognition device as recited in claim 2, further comprising:

an ~~output-program-to-output~~ unit outputting a symbol or a blank to display locations that do not coincide instead of the recognized characters.

9. (CURRENTLY AMENDED) A character recognition device as recited in claim 1, further comprising:

an ~~output-program-to-output~~ unit outputting the recognized characters with a high evaluation value for the non-coinciding locations that have the same number of recognized characters in an output format that is different from the output format of the non-coinciding locations.

10. (CURRENTLY AMENDED) A character recognition device as recited in claim 2, further comprising:

an ~~output-program-to-output~~ unit outputting the recognized characters with a high evaluation value for the non-coinciding locations that have the same number of recognized characters in an output format that is different from the output format of the non-coinciding locations.

11. (CURRENTLY AMENDED) A character recognition device as recited in claim 1, further comprising:

an ~~output-program-to-output~~ unit outputting the recognized characters of the non-coinciding locations selected using a prescribed standard for the non-coincident locations with a different number of recognized characters in a format that is different from the output format for

the non-coinciding locations.

12. (CURRENTLY AMENDED) A character recognition device as recited in claim 2, further comprising:

an ~~output-program-to-output-unit outputting~~ the recognized characters of the non-coinciding locations selected using a prescribed standard for the non-coincident locations with a different number of recognized characters in a format that is different from the output format for the non-coinciding locations.

13. (CURRENTLY AMENDED) A character recognition device as recited in claim 1, further comprising:

an ~~output-program-to-output-unit outputting~~ in a format indicating that the recognition results coincide but have a low recognition reliability.

14. (CURRENTLY AMENDED) A character recognition device as recited in claim 2, further comprising:

an ~~output-program-to-output-unit outputting~~ in a format indicating that the recognition results coincide but have a low recognition reliability.

15. (CURRENTLY AMENDED) A character recognition method to recognize characters in a captured text image ~~read by an image scanner~~, comprising:

recognizing characters in the text image using a prescribed character recognition-method algorithm;

recognizing characters in the text image using a character recognition-method-algorithm different from the prescribed character recognition-method algorithm, where each character recognition algorithm produces its own recognized characters from the same text image and where the recognized characters of the respective algorithms are non-coinciding for some corresponding same locations of the text image and coincide for other corresponding same locations of the text image;

extracting the locations corresponding to the non-coinciding locations between the recognition results of the character recognition using the prescribed character recognition

~~method- algorithm~~ and the recognition results of the character recognition ~~method- algorithm~~ different from the prescribed character recognition-method algorithm; and

designating the locations of non-coinciding locations-extracted- results and outputting the recognition results of the characters in the text image.

16. (CURRENTLY AMENDED) A computer readable medium encoded with processing instructions for implementing a character recognition method of recognizing characters in a captured text image-read-by-an-image-scanner, the character recognition ~~method algorithm~~ comprising:

recognizing characters in the text image using a prescribed character recognition-method algorithm;

recognizing characters in the text image using a prescribed character recognition-method algorithm different from the prescribed character recognition-method algorithm, where each character recognition algorithm produces its own recognized characters from the same text image and where the recognized characters of the respective algorithms are non-coinciding for some corresponding same locations of the text image and coincide for other corresponding same locations of the text image;

extracting the locations corresponding to the non-coinciding locations-between-the recognition results of the character recognition using the prescribed character recognition method- algorithm and the recognition results of the character recognition ~~method- algorithm~~ different from the prescribed character recognition-method algorithm; and

designating the locations of non-coinciding locations-extracted- results and outputting the recognition results of the characters in the text image.

17. (NEW) A method for recognizing characters in a captured text image, the method comprising:

providing a first character recognition algorithm and a second character recognition algorithm, where each character recognition outputs its own recognized characters, and where the character recognition algorithms are capable of recognizing same character-images as different recognized characters;

outputting recognized characters by performing character recognition on the captured text image with each character recognition algorithm; and

identifying areas of the text of the captured image based on discrepancies between respective outputs of the character recognition algorithms that correspond to the areas.

18. (NEW) A method according to claim 17, further comprising: when a user is editing text of the text image location, directing the editing to the identified areas.

19. (NEW) A method according to claim 17, further comprising: when displaying recognized text of the text image, distinguishably displaying the identified areas.

20. (NEW) A method according to claim 19, further comprising: when displaying recognized text of the text image, displaying characters in the identified areas based on which recognition algorithm had a highest recognition evaluation for the respective characters.

REMARKS

INTRODUCTION

Claims 1-16 were previously pending and under consideration.

Claims 17-20 are added herein.

Therefore, claims 1-20 are now pending and under consideration.

Claims 1-16 are rejected.

Claims 1-16 are amended herein.

No new matter is being presented, and approval and entry are respectfully requested.

ENTRY OF AMENDMENT UNDER 37 CFR §1.116

Applicant requests entry of this Rule 116 Response because:

(a) it is believed that the amendment of the claims puts this application into condition for allowance as suggested by the Examiner;

(b) the amendments were not earlier presented because the Applicant believed in good faith that the cited prior art did not disclose the present invention as previously claimed;

(c) the amendments of the claims should not entail any further search by the Examiner since no new features are being added or no new issues are being raised; and

(d) the amendments do not significantly alter the scope of the claims and place the application at least into a better form for purposes of appeal. No new features or new issues are being raised.

The Manual of Patent Examining Procedures sets forth in Section 714.12 that "any amendment that would place the case either in condition for allowance or in better form for appeal may be entered." Moreover, Section 714.13 sets forth that "the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in

the Advisory Action.

REJECTIONS UNDER 35 USC § 103

In the Office Action, at pages 3-6, claims 1-16 were rejected under 35 U.S.C. § 103 as being unpatentable over Hotta in view of Shirasaki. This rejection is traversed and reconsideration is requested.

Hotta is cited as teaching plural recognition methods. The rejection indicated that "non-coinciding characters" is being interpreted as equivalent to "misrecognized characters" (page 2, lines 18-20 of the Office Action).

The amended claims recite a feature of two character recognition algorithms being used to find non-coinciding characters. This feature is not disclosed or suggested in the prior art.

The rejection compared the feature of performing character recognition using respective recognition methods to Figure 4, boxes 9-11, and 15 of Hotta. However, Hota discusses methods (or sub-methods) that are part of a single character recognition process. In other words, the "character segmentation unit" (box 9), the "feature vector computing unit" (box 10), the "character category determining unit" (box 11), etc. of Hotta are all parts of one character recognition algorithm. They are not different character recognition algorithms.

To clarify that the character recognition methods of the present claims are not parts of one recognition method, the claims are amended to recite "recognition algorithms" (see page 15, line 15 of the specification) that each produce their own recognized characters from the same text image. The boxes in Figure 4 of Hotta are clearly not recognition algorithms that each produce their own recognized characters; there is only one recognition result that comes from their cooperation.

Applicant respectfully traverses the rejection's assertion that non-coinciding characters are the same as misrecognized characters. The Merriam Webster Online Dictionary indicates that to "coincide" is "to be in accord or agreement : CONCUR". A misrecognized character in the cited references does not agree or concur with the image text. However, the non-coincidence in the present claims is non-coincidence between two different recognized characters of a same portion/location of the text image. In other words, there is non-coincidence

between the output of the two or more character recognition algorithms.

Other amendments herein are intended to broaden the claims. The phrase "a text image read by an image scanner" has been broadened to a "captured text image". The feature of a "program" has been broadened to a "unit".

DEPENDENT CLAIMS

The dependent claims are deemed patentable due at least to their dependence from allowable independent claims. These claims are also patentable due to their recitation of independently distinguishing features. For example, claim 3 recites outputting the recognition results by contrasting the text image and the recognition results. This feature is not taught or suggested by the prior art. Withdrawal of the rejection of the dependent claims is respectfully requested.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

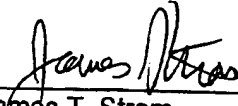
Serial No. 09/661,428

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 21 Sep. 2004

By: 
James T. Strom
Registration No. 48,702

1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501



Please Date Stamp and return

Amendment Fee Transmittal; Amendment After Final Rejection; Check \$86.00 ✓

APPLICANT(S): Toshikazu HORI, et al.

SERIAL NO: 09/661,428

CONFIRMATION NO. 8410

TITLE: CHARACTER RECOGNITION DEVICE AND METHOD FOR DETECTING
ERRONEOUSLY READ CHARACTERS, AND COMPUTER READABLE
MEDIUM TO IMPLEMENT CHARACTER RECOGNITION

FILING DATE: September 13, 2000

DOCKET NO: 21.1967/JTS:na

DUE DATE: October 5, 2004



5

REQUEST FOR CONTINUED EXAMINATION (RCE)

TRANSMITTAL

COPY

(INCLUDING FILING FEE AND/OR PETITION FOR
EXTENSION OF TIME FEE)

Subsection (b) of 35 U.S.C. §132, effective May 29, 2000
provides for continued examination of a utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

To: Commissioner for Patents
Box RCE
PO Box 1450
Alexandria, VA 22313-1450

Attorney Docket No.: 21.1967

First Named Inventor	Toshikazu HORI, et al.		
Application No.	09/661,428	Group Art Unit	2623
Filing Date	September 13, 2000	Examiner	Brian Q. Le
CPA Filing Date		Confirmation No	8410
Title of Invention	CHARACTER RECOGNITION DEVICE AND METHOD FOR DETECTING ERRONEOUSLY READ CHARACTERS, AND COMPUTER READABLE MEDIUM TO IMPLEMENT CHARACTER RECOGNITION		

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

1.


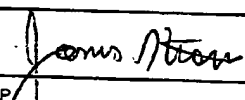
Submission required under 37 C.F.R. §1.114 (Box a or b must be completed)

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on September 21, 2004
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ____
- iii. ☐ Other
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

2.

Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required).
- b. ☐ Other

		BASIC FEE		\$ 790.00	
Since an Official Action set an <u>original</u> due date of <u>October 5, 2004</u> , petition is hereby made for an extension of time to cover the date this RCE is filed, for which the requisite fee is enclosed (5 months (\$2,160):					
Suspension Fee (\$130.00)				2,160.00	
Total of above Calculations =					
Reduction by 50% for filing by small entity (Note 37 C.F.R. 1.9, 1.27, 1.28).				\$ 2,950.00	
TOTAL FEES DUE =				\$ 2,950.00	
4. <input type="checkbox"/> Small entity status: a. <input type="checkbox"/> Verified Statement Claiming Small Entity Status. b. <input type="checkbox"/> A Verified Statement Claiming Small Entity Status was previously filed and such status is still proper and desired. c. <input type="checkbox"/> is no longer claimed. 5. <input type="checkbox"/> Other:					
6. METHOD OF PAYMENT					
<input checked="" type="checkbox"/> A check in the amount of \$ <u>\$2,950.00</u> is enclosed. <input type="checkbox"/> Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.)					
7. GENERAL AUTHORIZATION					
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935.					
8. CORRESPONDENCE ADDRESS					
STAAS & HALSEY LLP  21171 PATENT TRADEMARK OFFICE					
9. SIGNATURE OF ATTORNEY OR AGENT REQUIRED					
NAME		James T. Strom		REGISTRATION NO. 48,702	
SIGNATURE				DATE 7 March 2005	



Please Date Stamp and return

Request for Continued Examination; Check \$2,950.00

APPLICANT(S): Toshikazu HORI, et al.

SERIAL NO: 09/661,428

CONFIRMATION NO.8410

TITLE: CHARACTER RECOGNITION DEVICE AND METHOD FOR DETECTING
ERRONEOUSLY READ CHARACTERS, AND COMPUTER READABLE MEDIUM
TO IMPLEMENT CHARACTER RECOGNITION

FILING DATE: September 13, 2000

DOCKET NO: 21.1967/JTS:na

DUE DATE: March 5, 2005



17

JTS

Ki

RCk filed 3-7-05



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,428	09/13/2000	Toshikazu Hori	21.1967/WMS	8410

21171 7590 03/07/2005

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005



EXAMINER

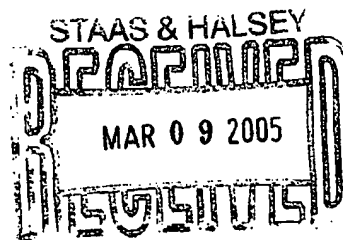
LE, BRIAN Q

ART UNIT PAPER NUMBER

2623

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/661,428

Applicant(s)

HORI ET AL.

Examiner

Brian Q Le

Art Unit

2623

MAY 17 2005

-The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

THE REPLY FILED 21 September 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☒ The reply was filed after the date of filing a Notice of Appeal, but prior to the date of filing an appeal brief. The Notice of Appeal was filed on 08/05/2004. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: The concept of a multiple recognition unit to perform character recognition of the text image using at least two different character recognition algorithms, each algorithm producing its own recognized characters from the same text image, where the recognized characters of the respective algorithms are non-coinciding for some corresponding same locations of the text image and coincide for other corresponding same locations of the text image and newly added claims require further searches and considerations. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 1-16.

Claim(s) withdrawn from consideration: _____

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

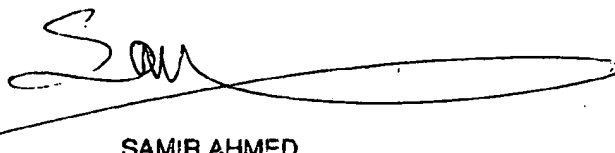
11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☐ Other: _____

U.S. Patent and Trademark Office
PTOL-303 (Rev. 9-04)

Advisory Action Before the Filing of an Appeal Brief

Part of Paper No. 20050304

A handwritten signature in black ink, appearing to read 'Samir Ahmed', is written over a horizontal line.

SAMIR AHMED
PRIMARY EXAMINER

Interview Summary

Application No.

09/661,428

Applicant(s)

HORI ET AL.

Examiner

Brian Q Le

Art Unit

2623

All participants (applicant, applicant's representative, PTO personnel):

(1) Brian Q Le.

(3) _____

(2) James T. Strom (Reg. No. 48,702).

(4) _____

Date of Interview: 04 March 2005.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: _____

Claim(s) discussed: 1-20.

Identification of prior art discussed: _____

Agreement with respect to the claims f) ☒ was reached.. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The Examiner told the Applicant's Representative that the amended claims (1-16) and newly added claims (17-20) will not be entered and the advisory Office Action will be given to this application).

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

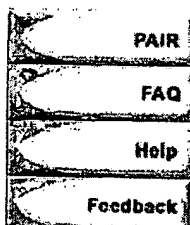
If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.



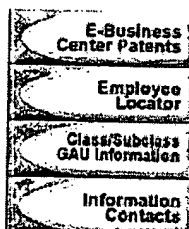
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PATENT APPLICATION INFORMATION RETRIEVAL



Other Links



Printer Friendly Version

Search results as of: 5-17-2005::12:2

Search results for application number:09/661,428			
Application Number:	09/661,428	Customer Number:	21171
Filing or 371(c) Date:	09-13-2000	Status:	Non Final Action Mailed
Application Type:	Utility	Status Date:	05-17-2005
Examiner Name:	LE, BRIAN Q	Location:	ELECTRONIC
Group Art Unit:	2623	Location Date:	-
Confirmation Number:	8410	Earliest Publication No:	-
Attorney Docket Number:	21.1967/WMS	Earliest Publication Date:	-
Class/ Sub-Class:	382/190	Patent Number:	-
First Named Inventor:	Toshikazu Hori, Yokohama, (JP)	Issue Date of Patent:	-
Title Of Invention:	Character recognition device and method for detecting erroneous read characters, and computer readable medium to implement character recognition		

Select Search Option

Assignments

Display References

Foreign Priority

Image File Wrapper

Publication Review

Search

File History	
Date	Contents Description
05-17-2005	Mail Non-Final Rejection
05-16-2005	Non-Final Rejection
11-16-2000	Oath or Declaration Filed (Including Supplemental)
03-07-2005	Letter Requesting Suspension of Prosecution
03-11-2005	Date Forwarded to Examiner
03-07-2005	Request for Continued Examination (RCE)
03-11-2005	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)
03-07-2005	Workflow - Request for RCE - Begin
03-07-2005	Mail Advisory Action (PTOL - 303)
03-05-2005	Advisory Action (PTOL-303)
03-04-2005	Date Forwarded to Examiner
09-21-2004	Amendment/Argument after Notice of Appeal

08-05-2004	Notice of Appeal Filed
10-22-2004	IFW TSS Processing by Tech Center Complete
09-21-2004	Workflow incoming amendment IFW
05-05-2004	Mail Final Rejection (PTOL - 326)
05-03-2004	Final Rejection
03-31-2004	Date Forwarded to Examiner
03-24-2004	Response after Non-Final Action
03-24-2004	Request for Extension of Time - Granted
11-04-2003	Mail Non-Final Rejection
11-03-2003	Non-Final Rejection
06-06-2003	Case Docketed to Examiner in GAU
10-25-2002	Correspondence Address Change
09-13-2000	Request for Foreign Priority (Priority Papers May Be Included)
08-28-2001	Case Docketed to Examiner in GAU
11-07-2000	Application Dispatched from OIPE
11-07-2000	Correspondence Address Change
10-02-2000	IFW Scan & PACR Auto Security Review
09-13-2000	Initial Exam Team nn

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